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9 **Attorneys for Plaintiff**
10 **KingVision Pay-Per-View, Ltd.**

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **KingVision Pay-Per-View, Ltd.,**

14 **Plaintiff,**

15 **vs.**

16 **James A. Dailey, et al.**

17 **Defendant.**

18 **CASE NO. C 04-4074 WHA**

19 **STIPULATION OF DISMISSAL OF**
20 **PLAINTIFF'S COMPLAINT**
21 **AGAINST DEFENDANT JAMES A.**
22 **DAILEY, individually and d/b/a**
23 **GOLDEN BEAR SPORT BAR**

24 **IT IS HEREBY STIPULATED** by and between Plaintiff KINGVISION PAY-
25 **PER-VIEW, LTD.** and Defendant JAMES A. DAILEY, individually and d/b/a
26 **GOLDEN BEAR SPORT BAR**, that the above-entitled action is hereby dismissed
27 **without prejudice** against James A. Dailey , individually and d/b/a GOLDEN BEAR
28 **SPORT BAR** subject to the Court's jurisdiction to enforce the settlement agreement
reached between the Parties.

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STIPULATION OF DISMISSAL
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1 **IT IS FURTHER STIPULATED** that provided no Party referenced above has
2 filed a motion to reopen this action by December 1, 2005, this Court shall *not* have
3 jurisdiction to set aside the dismissal and the dismissal as to Defendant James A.
4 Dailey, individually and d/b/a Golden Bear Sport Bar shall be deemed to be with
5 **prejudice.**

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7 This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1).
8 Each Party referenced-above shall bear its own attorneys' fees and costs.
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11 Dated: October 12, 2005


12 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
13 By: Thomas P. Riley, Esquire
14 Attorneys for Plaintiff
15 **KINGVISION PAY-PER-VIEW, LTD.**

16
17 Dated: 10/17/05


18 **LAW OFFICES OF GEORGE HOLLAND**
19 By: Terry R. Collins, Esquire
20 Attorneys for James A. Dailey,
21 individually and d/b/a Golden Bear Sport Bar
22 Defendant

23 The Court shall retain jurisdiction to enforce the settlement agreement only through December 23,
24 2005.

25 **IT IS SO ORDERED:**



The Honorable William H. Alsup
United States District Court
Northern District of California

Dated: October 25, 2005